

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 14998 of 2007(I)

PETITIONERS:

- 1. P.JAYAKUMAR, U.D.CLERK,
IRRIGATION SUB DIVISION, TIRUR.**
- 2. P.SUNILKUMAR, U.D.CLERK,
OFFICE OF THE EXECUTIVE ENGINEER,
IRRIGATION DIVISION, MALAPPURAM.**

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA

RESPONDENTS:

- 1. STATE OF KERALA, REP. BY ITS
SECRETARY TO GOVERNMENT, DEPARTMENT OF WATER
RESOURCES, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.**
- 2. THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF LOCAL SELF GOVERNMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.**
- 3. THE CHIEF ENGINEER,
IRRIGATION (ADMN), THIRUVANANTHAPURAM.**
- 4. G.THOMAS, L.D.CLERK,
MINOR IRRIGATION SUB DIVISION, KUTTIPPURAM.**
- 5. P. BABY RAJANI, L.D.CLERK,
MINOR IRRIGATION DIVISION, MALAPPURAM.**
- 6. M.SURESH BABU, L.D.CLERK,
MINOR IRRIGATION DIVISION, MALAPPURAM.**

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

K.BALAKRISHNAN NAIR,J.

WP(C)NO.14998 OF 2007-I

Judgment

The petitioners are Upper Division Clerks, working in the Irrigation Department in Malappuram district. They are being deployed to the Local Self Government Departments, as per Ext.P6. The petitioners submit, the Government have made appointment of fresh hands to the cadre of Lower Division Clerk in the Irrigation Department. So, there are no surplus hands of LDC/UDC in the Irrigation Department and therefore, it is unnecessary to deploy any one. The petitioner attacks the deployment under Ext.P6. Going by Ext.P6, it can be seen that the deployment under that order is not made because of the availability of surplus hands. It is being made to replace the persons, who have completed their tenure. Such persons can be repatriated only by making substitute arrangements. As part of the said proceedings, the petitioners and others are being deployed to the Local Self Government Departments. It is not for the reason that they are surplus hands. So, the challenge against Ext.P6 fails and the Writ Petition is accordingly dismissed.

25.05.2007

K.BALAKRISHNAN NAIR,JUDGE

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